



May 11, 2020

Delta County Variance Request to Colorado Department of Public Health and Environment (CDPHE) from portions of the “Safer at Home” Executive Order D 2020 044 and State Public Health Order PHO 20-28 .

On Monday, May 11, 2020, Delta County submitted the enclosed Variance Request to CDPHE and Governor Polis asking for a variance to specific sections of the Safer at Home Order as it relates to restaurants (CDPHE Amended Public Health Order II.A.), places of worship (CDPHE Amended Public Health Order II.B and appendix F.5) and fitness facilities (CDPHE Amended Public Health Order II.A.4).

Please be advised that the following document is a proposal to CDPHE only and has NOT been approved. The conditions outlined for restaurants, fitness facilities and places of worship CANNOT be implemented by these facilities until approved by CDPHE and Governor Polis. CDPHE’s Executive Director Jill Hunsaker Ryan, MPH, will determine whether to grant a county request for variances from the Safer At Home Order. CDPHE will not grant a general request to be removed from the Safer At Home Order. Guidance and a variance will only apply during the remainder of Safer at Home, pending additional Executive Orders/Guidance from CDPHE and Governor Polis.

Many people have asked if Delta County is submitting a request similar to Mesa County’s since they received approval already. Delta County’s request is based on Mesa County’s approved variance and we are hoping for a timely approval. CDPHE’s Executive Director and Governor Polis must approve all variances and we were not provided with an estimated timeline, only that there will be an extended delay in processing variance requests due to the number of requests from counties.

The criteria for submission required the approval of the following officials:

- The Delta County Health Department - Delta County submitted the request to the Board of Public Health who voted unanimously on May 11th to approve the variance and submit it to CDPHE.
- The local hospital – Delta County Memorial Hospital has reviewed and approved the plan and contributed to setting trigger points for returning to more restrictive measures (Safer at Home as it exists now) should we see a spike in cases.
- The Board of County Commissioners. The Board voted unanimously to allow Commissioner Roeber to sign on their behalf committing support to the variance request.

Next Steps:

CDPHE Executive Director Hunsaker Ryan and her staff will review the variance request and has three options:

1. Approve the request as submitted
2. Approve the request with modifications or
3. Deny the request.

As soon as Delta County receives a response from CDPHE regarding this variance request, their decision will be shared with the public.



J. Mark Roeber, Chair | District 3
Don Suppes, Vice-Chair | District 2
Mike Lane | District 1

May 11, 2020

Governor Jared Polis
Capital Building
200 E Colfax Ave., Rm. 136
Denver, CO 80203
Governorpolis@state.co.us

Colorado Department of Public Health and Environment
Attn: Executive Director, Jill Hunsaker Ryan, MPH
4300 Cherry Creek Drive South
Denver, CO 80246

RE: Executive Order D 2020 044 and CDPHE Amended Public Health Order 20-28

Dear Governor Polis and Director Hunsaker Ryan:

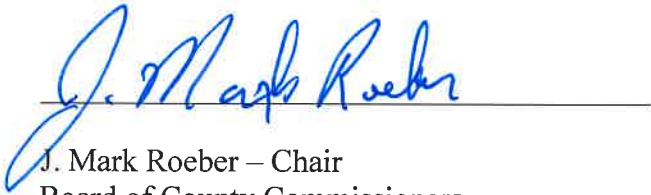
Delta County respectfully requests a variance to be excluded from the provisions of your Executive Order D 2020 044 and CDPHE Amended Public Health Order 20-28 (State Orders). A variance, outlined in CDPHE Amended Public Health Order 20-28, III.V. and Appendix G., will allow Delta County to implement its own reopening plans for Restaurants (CDPHE Amended Public Health Order II.A.), Places of Worship (CDPHE Amended Public Health Order II.B. and appendix F.5), and Fitness facilities (CDPHE Amended Public Health Order II.A.4.) while maintaining a healthy balance between community health and our economy in the manner and timeframe that best meets the needs of our communities. The attached documentation outlines the variance request and the supporting data for consideration.

Delta County's first confirmed case of COVID-19 was reported on April 2nd. To date we have 36 confirmed cases (6.7% of all tests conducted) with the greatest spike occurring late April. Since April 29th and today our epidemiological curve has been on a downward trend. In the course of 45 days we have only had two (2) hospitalizations, both of whom required a very short hospitalization and have since been discharged. Additionally, neither of these patients required the use of a ventilator.

As a small community, Delta County is a place where it makes sense to loosen restrictions on key businesses in the County. This action will not burden our public health resources outside of Delta County. Our local public health department endorses this alternative plan and will still regulate social behaviors, events, types of business reopening and travel into and around the county, to control disease transmission. Additionally, the Delta County Memorial Hospital has verified that they are capable to adequately manage COVID-19 cases as well as other medical requirements in our county area. The Delta County Board of County Commissioners has voted affirmatively to adopt the alternative plan in place of the Safer at Home order.

Delta County residents consist of business owners, employees, families and neighbors. They appreciate the opportunity, as part of the recovery process, to be directly involved in the implementation of their own reopening plan. Thank you for the considering our request for variance from the State Orders.

Sincerely,



J. Mark Roeber – Chair
Board of County Commissioners

**PROPOSED
VARIANCE**



**DELTA COUNTY VARIANCE REQUEST FOR THE SAFER AT HOME
EXECUTIVE ORDER AND AMENDED PUBLIC HEALTH ORDER
May 11, 2020**

Delta County is requesting variance from some of the provisions of Governor Polis' Executive Order D 2020 044 and CDPHE Amended Public Health Order 20-28. A variance, as outlined in CDPHE Amended Public Health Order 20-28, III.V. and Appendix G., will allow Delta County to implement its own reopening plans for Restaurants (CDPHE Amended Public Health Order II.A.), Places of Worship (CDPHE Amended Public Health Order II.B. and Appendix F.5), and fitness facilities (CDPHE Amended Public Health Order II.A.4.) in a time frame that best meets the needs of our communities by balancing community health and economic stability.

Delta County has put in place consistent guidance for Delta County residence and business owners. A dedicated call center, email address and social media page for residents and business exists to ask specific questions regarding implementation of health orders. As part of the Delta County Reopening plan business are required to provide a signed checklist indicating they will meet social distancing requirements, post signs, and implement symptom checking of employees.

CONDITIONS FOR LIFTING RESTRICTIONS

Delta County has met the following World Health Organization guidelines to justify a variance request.

1. Disease Transmission is Under Control
 - a. Hospitalizations among Delta County Residents has been minimal; there has only been 2 total hospitalizations for COVID as of 7 May, 2020.
 - b. The first confirmed case of COVID-19 was reported on April 2nd. There are 36 confirmed cases as of 5/11/2020 with the greatest spike occurring in late April. Since April 29th, our epidemiological curve has been on a downward trend.
2. There are Sufficient Health System and Public Health Capabilities
 - a. Delta County has three (3) sites able to conduct testing with the capacity to implement a drive through test site at several locations in the county.
 - b. Delta County Memorial Hospital is performing testing on all elective surgery patients and at-risk healthcare staff. Currently, 500 tests per month can be performed between Delta County Health Department, Delta County Memorial Hospital and River Valley Family Health Center.

- c. Only 6.5% of 500+ COVID-19 tests performed have resulted in a confirmed case.
 - d. Delta County Memorial Hospital has 6 ICU beds with the capability to expand to 12 with 10 critical and non-critical ventilators.
 - e. Delta County Health Department has developed a community medical surge plan in collaboration with Delta County Memorial Hospital. The hospital and public health department has enough PPE to manage a surge.
 - f. Delta County Health Department and Delta County Memorial Hospital Epidemiology team consists of 2.5 FTE contact tracers conducting case investigations. Delta County Health Department has a published a Contact Tracing Plan to increase contact tracers in the event of a surge.
 - g. Among the confirmed cases in Delta County, 20% of them have been traced to the source.
3. Outbreak Risks in High-Vulnerability Setting Minimized
- a. Delta County Health Department maintains daily contact with high risk facilities like elderly care facilities, correction facilities and the homeless shelter.
 - b. Each long term care facility has submitted their individual isolation plans and are following CDC and CDPHE guidance. These plans have been submitted to Delta County Health Department.
4. Workplace Preventative Measures Established
- a. Guidelines for the Delta County Health Department have been written and distributed to workplaces and other essential places.
5. Risk of Imported Cases Managed
- a. Delta County tourism is limited due to restrictions and closures on National and State Forests.
 - b. Limits for non-essential travel is in line with State Orders
 - c. Signs have been posted on public land outlining appropriate physical distancing practices.
 - d. There are protocols in place between Delta County and its surrounding regional hospitals.
6. Communities are Fully Engaged
- a. Delta County Health Department is working with local business and residents to address protocols and guidelines associated with COVID-19.
 - b. Delta County Health Department is working with outdoor recreation facilities to implement physical distancing guidelines.

DETERMINING SUCCESS DURING ALL PHASES OF REOPENING

The determination on whether the physical distancing policies are working will be based on:

- 1. Keeping the proportion of positive tests to less than 10% of overall tests conducted, and;**
- 2. Staying below the threshold of less than 4 COVID-19 ICU hospitalizations at Delta County Memorial Hospital**

If respective numbers from these measures exceeds the stated limit or if daily reported COVID-19 cases exceed 6 cases per day for 3 consecutive days, actions will be taken to increase physical distancing practices in Delta County. It may be necessary to resume implementation of

business guidance based on the Governor’s Safer at Home guidelines in accordance with Executive Order D 2020 044 and Public Health Order 20-28.

DELTA COUNTY VARIANCES

Attachment 1 provides the amplifying information and variances Delta County is looking to implement once State approval has been provided.

**PROPOSED
VARIANCE**

ATTACHMENT 1

Restaurants and Dining Rooms

Restaurants and dining rooms, including those at private social clubs, are hereby permitted to resume providing dine-in services. All restaurants and dining rooms that operate during the effective dates of this Variance Order shall implement measures which mitigate the exposure and spread of COVID-19 among its patrons and workforce. State and local officials may tailor the application of opening criteria to local circumstances (e.g., metropolitan areas that have suffered severe COVID outbreaks vs. rural and suburban areas where outbreaks have not occurred or have been mild).

To prepare to comply with opening procedures, operators should update their existing policies and operating procedures in accordance with the latest FDA, Centers for Disease Control and Prevention, and Environmental Protection Agency guidance and in accordance with Delta County and Colorado Department of Public Health and Environment officials.

Reopening Guidance on Social Distancing

Delta County understands that there may be concerns about staff and patron safety, and about whether facilities are conducive to successful implementation of social distancing best practices. Where practicable, restaurants are encouraged to prioritize services through take-out, delivery, curbside pick-up options, and exterior guest seating over limited dine-in seating services.

The partial opening opportunity offered by this local variance is completely voluntary. Restaurants that choose to open their dining spaces to limited dine-in services must do so under the following guidelines, and ensure each of the following items is adequately addressed before opening dining spaces to the public.

1. Restaurants shall limit the number of customers seated at interior dining spaces to **30% of the occupancy rate as dictated by the fire code.**
2. Customers are not permitted to wait in the lobby area or in lines outside the door for a table. Consider a reservations-only business model, text upon arrival for seating, or call-ahead seating to better space diners and maintain social distancing guidelines.
3. Make reasonable accommodations for vulnerable individuals who are still under Stay at Home advisement (E.g. special hours, designated seating areas, seating assistance, etc.)
4. Update floor plans for dining areas, redesign seating arrangements to ensure at least six feet of separation between table setups and groups of guests. Consider positioning of customers within the space to avoid placing patrons directly near ventilation systems and open doors or windows where possible to improve ventilation.
5. Implement one-way entry, one-way exit, and directional walkways as much as possible.
6. Outdoor seating spaces are included under same provisions as interior dining. Exterior seating must adhere to same social distancing and cleaning/sanitizing guidelines.
7. **Bars will remain CLOSED**, including those that are part of restaurants. Only staff are permitted at the bar in order to prepare alcoholic beverages for guests seated in dining areas and take-out orders. Guests are **NOT** permitted at the bar. Social distancing guidelines must be maintained when more than a single employee is working behind the bar.
8. **All restaurant and dining room playgrounds shall remain closed.**

9. **Group party sizes are limited to six members of a single household.** Where practical, especially in booth seating, physical barriers are acceptable. Individuals and group parties shall be seated in a way to provide more than six feet between one party and a separate party.
10. Remind third-party delivery drivers and any suppliers of the restaurant of the internal distancing requirements.
11. Post signs at entrances regarding face coverings in order to enter the business, post signs that state no one with a fever or symptoms of COVID-19 are permitted in the restaurant, and post signs throughout the facility to remind customers and staff of social distancing and proper hygiene guidelines. Provide hand sanitizer for guests to use, including contactless hand sanitizing stations, and post signs reminding guests about social distancing. Thank them for their patience as you work to ensure their safety.
12. Limit contact between wait staff and guests. If practical, physical barriers such as partitions or Plexiglass barriers at registers are acceptable.
13. Use technology solutions where possible to reduce person-to-person interaction: mobile ordering and menu tablets; contactless payment options. Clean and sanitize all equipment following each use by patrons or staff.
14. Re-engineer work flow in kitchen spaces to maximize social distancing space. Where possible, workstations should be staggered so employees avoid standing directly opposite one another or next to each other. Where six feet of separation is not possible, consider other options (e.g., face coverings) and increase the frequency of surface cleaning and sanitizing.
NOTE: Non-medical cloth face coverings for all employees are required by Delta County officials to mitigate the distancing gap. Face coverings should be cleaned daily according to CDC guidance.
15. Consider staggering break and lunch periods to limit the number of employees allowed simultaneously in break areas. With larger staffs, use communication boards or digital messaging to convey pre-shift meeting information.

Reopening Guidance on Monitoring Health & Personal Hygiene

1. Per existing FDA Food Code requirements, employees who are sick should remain at home.
2. If an employee becomes ill or presents signs of illness, the operator should identify the signs during a pre-work screening and follow the business's established policies on when the ill employee is allowed to return to work. At a minimum, however, follow CDC guidelines – tell the employee to self-isolate for seven days from the onset of symptoms and be symptom-free for three days without medication.
3. Taking employees' temperatures is at the operators' discretion. The CDC has not mandated taking an employee's temperature and any operator who chooses to do so should engage health officials first and adopt policies aligned with proper procedures. CDC guidance states the minimum temperature that indicates a fever is 100.4°F. Recommend screening all employees reporting to work for COVID-19 symptoms:

- Best practice: Temperature checks should be conducted for every employee. Persons with temperatures above 100.4 degrees Fahrenheit should not be permitted to work
 - Minimum practice: Question employees regarding COVID-19 symptoms
 - ✓ Have you been in close contact with a confirmed case of COVID-19?
 - ✓ Are you experiencing a cough, shortness of breath, or sore throat?
 - ✓ Have you had a fever in the last 48 hours?
4. Ask customers if they are experiencing any symptoms commonly associated with COVID-19 prior to seating them in the dining area. If they customer is, do not allow them to enter the facility.
 5. Non-medical cloth face coverings for all employees are required by Delta County Health Department. Face coverings worn by employees should be cleaned or replaced daily in accordance with CDC guidance.
 6. Train all employees on the importance of frequent hand washing, the use of hand sanitizers with at least 60% alcohol content, and give them clear instruction to avoid touching hands to face.
 7. Coordinate with food/supply distributors to ensure that additional supplies of hand sanitizer and hand soap are available for ordering.

Reopening Guidance on Food Safety

1. Discard all perishable food items that were prepared prior to closing or are out of date.
2. Conduct deep clean and sanitizing of entire facility before re-opening facility to the public.
3. Before re-opening dining areas to public, flush water (5 minutes) and soda lines to purge and clear liquids and syrups that have been sitting in pipes and lines in preparation for serving to the public.
4. Where **salad bars and buffets** are permitted within Delta County, they must have sneeze guards in place. Salad bars and buffets shall have an employee serving the food, **self-service by customers is not allowed**. Change, wash, and sanitize utensils frequently and place appropriate barriers in open areas to protect food. Alternatively, cafeteria style (worker served) is permissible with appropriate barriers in place. Self-serving stations shall remain closed (drinking stations, bulk dry, etc.).
5. If providing a “grab and go” service, stock coolers to no more than minimum levels.
6. Ensure the person in charge understands and ensures that employees are following Delta County Public Health food handling guidelines.

Reopening Guidance for Cleaning and Sanitizing

1. Thoroughly detail-clean and sanitize entire facility, especially if it has been closed. Follow sanitizing material guidance to ensure it's at effective sanitizing strength and to protect surfaces. Deep clean and disinfect the entire facility during non-operational hours at least 2 times per week. Regular cleaning and disinfection products can be used. For an additional list of recommended disinfection products visit: <https://www.epa.gov/pesticide-registration/list-n-disinfectants-use-against-sars-cov-2>
2. During routine business hours, frequently and thoroughly clean and disinfect all frequently touched objects within the dining and customer areas (door knobs, cabinet handles, handrails, light switches, kitchen counters, dining room tables, etc.). Regular cleaning and disinfection products can be used. For an additional list of recommended disinfection products visit: <https://www.epa.gov/pesticide-registration/list-n-disinfectants-use-against-sars-cov-2>

3. Continue to clean and sanitize food preparation surfaces in the kitchen and other food storage areas. Avoid all food contact surfaces when using disinfectants.
4. Staff should wear disposable gloves when cleaning and disinfecting surfaces. Gloves should be discarded after cleaning and disinfecting is completed. Ensure that staff properly wash their hands immediately after gloves are removed.
5. Remove lemons, unwrapped straws and unwrapped toothpicks from self-service drink stations.
6. Between guests, staff should clean and sanitize tables and chairs, rotate and clean condiment containers after each guest leaves, clean restaurant digital ordering devices, check presenters, self-service areas as used by staff, tabletops, and common touch areas. Single-use items should be discarded. Consider using rolled silverware and eliminating table presets.
7. Clean and sanitize reusable menus. If you use paper menus, discard them after each customer use. Implement procedures to increase how often you clean and sanitize surfaces in the back-of-house. Avoid all food contact surfaces when using disinfectants.
8. Check restrooms regularly and clean and sanitize them based on frequency of use.
9. Make hand sanitizer readily available to guests upon entering the restaurant. Consider touchless hand sanitizing solutions.

Fitness Facilities

Fitness Facilities shall implement additional measures to prevent the spread of COVID-19, as practicable. Such measures shall include:

Business Process Adaptations

1. Restrict facility access to staffed hours only (i.e., any unmanned facilities must be manned) and limit facility occupancy to **maintain six foot (6 ft) social distancing** with no more than **30% of occupancy capacity** per exercise room as dictated by the fire code.
2. Mitigate exposure in the workplace by implementing social distancing guidelines and modify the scheduling. Make reasonable accommodations for vulnerable individuals who are still under Stay at Home advisement (i.e. special hours, designated entrances, etc.).
3. Staff shall conduct regular (i.e., every 2 hours) disinfecting of high-touch surfaces, equipment and common areas of the facility using disinfectant cleaning supplies according to CDC guidelines.
4. **Showers, locker rooms, and lockers will remain closed until further notice.** Ask customers to instead use small gym bags to store personal belongings; remind customers to appropriately monitor or secure such personal belongs or provide a secure area monitored by staff.
5. **Swimming pools, hot tubs, saunas** and other recreational water or spa facilities **will remain closed** due to inability to consistently clean and disinfect these areas.
6. **All indoor basketball courts, racquetball courts,** and other places where formal and informal group or team sports may occur **will remain closed** due to potential of direct contact with others and inability to maintain consistent cleaning and disinfecting of area due to size.
7. Restrict usage of cardio machines to every other machine to maintain acceptable Social Distancing between users performing cardio exercises.
8. **Any youth or adult team leagues or sports should remain closed.**

9. Encourage all employees and customers to wear PPE where applicable, and recommend that customers wear a non-medical cloth face covering.
10. Adjust equipment layout and close or restrict access to equipment to maintain at least six feet of distance between equipment.
11. Temporarily close water fountains, common areas, break rooms, check-in counters, where customers or employees may congregate. Encourage users to provide their own water.
12. If practical, install physical barriers such as partitions or Plexiglass barriers at enrollment desks or guest service desks that must remain open to guests and employees. Utilize no contact payment systems for new and monthly enrollment payments.
13. **No self-service options** shall be offered (e.g. coffee bars, smoothie stations and other forms of communal food in facilities). Food retail should follow restaurant guidelines.
14. Ensure that staffing of facilities is sufficient to enable enhanced sanitization and cleaning measures.

Consumer Protection Standards

1. Screen customers for illness upon entry to the fitness facility:
 - Best practice: Temperature checks should be conducted for every customer. Persons with temperatures above 100.4 degrees Fahrenheit should not be permitted on premise
 - Minimum practice: Question customers regarding COVID-19 symptoms
 - ✓ Have you been in close contact with a confirmed case of COVID-19?
 - ✓ Are you experiencing a cough, shortness of breath, or sore throat?
 - ✓ Have you had a fever in the last 48 hours?
2. Keep doors and windows open where possible to improve ventilation.
3. Post signs encouraging social distancing (visible to customers).
4. Require that customers wash or sanitize their hands upon entering and leaving the facility.
5. Require customers to clean equipment they come in contact with using disinfecting wipes before and after each use.
6. Encourage customers to use a single piece of equipment at a time (i.e., no circuits or “super setting”) so that machines are cleaned after each use.
7. Usage of cardio machines shall be limited to every other machine to maintain acceptable Social Distancing between users.
8. Consider limiting workout length to avoid unnecessary exposure, decrease congestion, and allow for additional sanitization.
9. Recommend that persons more vulnerable or at-risk for COVID-19 as identified by the CDC—including those who are over the age of 65 or those who have chronic medical conditions—take extra precaution and refrain from use of the facility during re-opening.

Employee Protection Standards

1. Allow employees to work from home as much as possible.
2. Screen all employees reporting to work for COVID-19 symptoms:

- Best practice: Temperature checks should be conducted for every customer. Persons with temperatures above 100.4 degrees Fahrenheit should not be permitted to work
 - Minimum practice: Question employees regarding COVID-19 symptoms
 - ✓ Have you been in close contact with a confirmed case of COVID-19?
 - ✓ Are you experiencing a cough, shortness of breath, or sore throat?
 - ✓ Have you had a fever in the last 48 hours?
3. If practical, install physical barriers such as partitions or Plexiglass barriers at enrollment desks or guest service desks that must remain opened.
 4. Staff should wear non-medical cloth face coverings and other personal protection items as recommended by the CDC such as gloves when cleaning equipment.
 5. Provide training on personal protective equipment based on CDC guidelines
 6. Provide a sanitizing station such as a wash basin with soap and/or bottle of hand sanitizer
 7. Practice recommended social distancing to the greatest extent possible.

Places of Worship

Places of Worship shall implement additional measures to prevent the spread of COVID-19, as practicable. Such measures shall include:

1. Places of worship may have up to **30% of occupancy rate as dictated by the fire code but no greater than 50 participants** as long as 6 feet of separation is maintained between worshipers at all times.
2. Participants must be asked whether they have COVID-19 symptoms at the door and excluded from the place of worship if symptomatic.
3. Symptomatic employees must be excluded from the place of worship and required to remain in isolation for 7-10 days, per CDC guidance.
4. Participants should be encouraged to wear a face covering both when entering and while present in the place of worship.
5. Direct those having symptoms of COVID-19--as well as persons who have had close contact with a person who has symptoms like dry cough, chest tightness, and/or fever--to refrain from participating in in-person services.
6. People must be at least 6 feet apart at all times while seated and standing.
7. Consider alternatives to handshaking, handholding, hugging, communion, passing the peace, etc.
8. Those most at risk, including people over age 65 and anyone with a pre-existing immune or respiratory condition, are urged to remain home at all times unless they need immediate medical care.
9. People should cover their coughs and sneezes, practice hand hygiene, and stay home if they are ill.
10. Consider providing hand sanitizer and tissues in convenient locations.
11. Ensure attendees wear coverings (e.g., cloth mask or bandana) over their mouths and noses while attending services.

12. Consider taking attendees temperatures and asking about signs of illness before admitting them into the place of worship. Disallow individuals with elevated temperatures or signs of illness (i.e. coughing, runny nose, sneezing).
13. Clean and disinfect all surfaces before and after any in-person gathering. Follow these guidelines (<https://drive.google.com/file/d/1XQnjAL2nzdPnb7Dabz7-fX8Pw7XlyUe8/view>).

Guidelines for drive-in type venues

1. Practice the social/physical distancing requirements outlined above.
2. Use electronics that attendees can have inside the car or use a radio channel to broadcast the audio and/or video.
3. If you will be providing devices, ensure they are cleaned and sanitized prior to passing them out.
4. It is preferable for attendees to use their own, personal devices for audio/video.
5. Attendees should stay in their vehicles and not socialize through their vehicle windows.
6. Public restrooms must be cleaned and have signage posted that they should be used by only one person at a time.
7. There should be no other opportunity for in-person interaction. Do not have food or beverage or any other services at the site. Do not make available gathering spaces at this location for attendees to gather outside of their vehicles.

PROPOSED
VARIANCE



May 8, 2020

Jill Hunsaker Ryan
Executive Director
Colorado Department of Health and Environment
4300 Cherry Creek South Drive
Denver, Colorado 80246

Dear Director Ryan,

On behalf of the Delta County health care system, we are offering our support for the Safer at Home Delta County plan.

Local data supports a gradual and thoughtful re-opening of most sectors in Delta County. As of May 8th, 2020, Delta County has 34 positive COVID-19 test cases, 19 cases that are epidemiologically-linked and has processed over 511 tests. Since the first reported positive tests on March 24th, there have only been two hospitalized cases, first case admitted April 13th. For both hospitalizations, neither patient needed the intensive care unit, discharged within 48 hours, and returned home. There have been no outbreaks in skilled nursing facilities in Delta County.

Currently, the COVID-19 testing is being performed by Delta County Memorial Hospital (DCMH), Delta County Health Department and River Valley Health Center, with DCMH leading the testing efforts. So far, COVID-19 has not stressed out medical facilities or resources and we feel confident in the capacity we have to continue managing the slow progression of COVID-19 in Delta County.

Delta County has stayed below the threshold with less of 4 COVID-19 hospitalizations at DCMH and the proportion of positive tests being less than 10% of overall tests conducted. If at any time these thresholds are triggered, we are prepared to work with Delta County to reissue Stay at Order plans. DCMH is equipped with 6 ICU beds and has the ability to surge the ICU bedding capacity to 12 ICU beds, with 10 ventilators on hand. To date, DCMH has only had 2 hospitalizations (2 discharges) related to COVID-19 with no hospitalizations requiring the use of a ventilator. Additionally, DCMH has agreements in place with SCL Health St. Mary's Medical Center in Mesa County as part of their medical surge planning.

We support the attached Safer at Home Delta County plan because we believe that the strict adherence to outlined protocols as well as the continual monitoring of data through testing and contact investigations will enable our community to begin the recovery process. Delta County Health Department and Delta County Memorial Hospital are continuing to order appropriate amounts of PPE in preparation for future medical surge needs. We confirm that our medical centers have the capacity and PPE to handle an increase in COVID-19 cases, should that occur.

Sincerely,

Matthew Heyn
CEO
Delta County Memorial Hospital

VARIANCE SUBMITTED ON 5/11/20 - PENDING CDPHE & GOVERNOR APPROVAL



On April 26, 2020, Governor Jared Polis issued Executive Order, D 2020 044, Safer at Home (the "**Executive Order**"). Section II.M. of the Executive Order, provides for application for variances for the Executive Order as follows:

"Any county wishing to apply for a local variance from part or all of this Executive Order must submit a written application to CDPHE certifying that the county has low case counts of COVID-19 cases or can document fourteen (14) consecutive days of decline in COVID-19 cases reported in the county. The application must include a written COVID-19 suppression plan approved by the appropriate local public health authority, all hospitals within the county (unless no hospitals are located in the county), and a majority of the county commissioners, or, in the case of the City and County of Denver, the mayor of Denver, or, in the case of the City and County of Broomfield, the city council."

Pursuant to the Executive Order, Delta County Memorial ("**Hospital**") has been asked by Delta County ("**County**") to review the County's COVID-19 Suppression Plan with respect to the County's request for a Variance (the "**Variance Request**"), dated May 11, 2020, under the Executive Order.

In reviewing the County's COVID-19 Suppression Plan, and except as expressly set forth below, Hospital assumes the completeness and accuracy of all facts and assumptions set forth in the Variance Request; however, Hospital does not provide an opinion with respect to the accuracy or completeness of such facts or assumptions. Hospital is also expressly relying on completeness and accuracy of data for current and estimated rates of infection and hospitalizations in and around the County's primary service area provided to Hospital by the County and the Colorado Department of Public Health and Environment ("**CDPHE**") Finally, Hospital does not opine on the secondary effect of people traveling to or from the County's primary service area to other locations in the State or nationally.

Based on the foregoing assumptions:

1. Hospital currently has 6 ICU beds available with the ability to expand to at least 12 ICU beds and such ICU beds are sufficient for Hospital to provide its usual and customary care for COVID-19 patients based on the current infection data;
2. Hospital currently has 10 ventilators available and such ventilators are sufficient for Hospital to provide its usual and customary care for COVID-19 patients based on current infection data;
3. Hospital has adequate personal protective equipment ("**PPE**") to provide its usual and customary care for COVID-19 patients based on current infection data; and
4. Hospital has adequate levels of hospital staff to provide its usual and customary care for COVID-19 patients based on current infection data.

Based solely on the foregoing, and subject to the qualifications and limitations set forth herein, Hospital believes that it can provide the services as set forth in the County's COVID-19 Suppression Plan. Hospital believes that both the County and CDPHE should actively monitor the accuracy of, and any changes to, the assumptions and facts set forth in the Variance Request. Hospital shall update the County and CDPHE if the facts set forth in #1-4 above materially and adversely change.